

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-11948-RGS

SEYED MOHSEN HOSSEINI-SEDEHY

V.

ERIN T. WITHINGTON

ORDER

July 29, 2005

STEARNS, D.J.

Plaintiff Seyed Mohsen Hosseini-Sedehy (Hosseini) is suing Boston Police Officer Erin Withington (Withington) for “wrongfully arresting him on a false allegation of sexual assault.” In the course of discovery, Hosseini subpoenaed the Suffolk County District Attorney’s Office seeking the production of documents, including all notes, memoranda, logs, and records concerning the matter of Commonwealth of Massachusetts v. Mohsen Hosseini, Boston Municipal Court Docket No. 0401CR001774. After the District Attorney moved to quash the subpoena, the court ordered the disputed documents to be produced for in camera inspection.

After reviewing the documents, the privilege log, and the plaintiff’s supplemental memorandum, the court will DENY the motion to quash in part. The court ORDERS the District Attorney to produce the documents identified by Bates stamp nos. 430, 436, 438, 439, 440, 446, 448, 453, and 462-465. The court ORDERS the District Attorney to

produce: (1) the document identified with Bates stamp nos. 454-455 with the e-mail response from Stacey Fortes-White redacted; (2) the document identified with Bates stamp nos. 457-458 with the opinion expressed in the final sentence redacted; and (3) the document identified with Bates stamp nos. 459-461 with the opinion expressed in the final sentence redacted. The motion to quash is ALLOWED as to the remaining documents.¹

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE

¹The court has not ordered the production of those documents for which the District Attorney claims a privilege for “cumulative information,” not because it recognizes such a privilege, but because the plaintiff has agreed, with three exceptions, not to seek any document that he already has in his possession.